

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA

Criminal No.: 5:16-cr-00264 (DNH)

v.

CHRISTOPHER M. SWARTZ,

Defendant.

**NOTICE OF INTERLOCUTORY PUBLIC JUDICIAL SALE PURSUANT
TO TITLE 28, UNITED STATES CODE, §§ 2001(a) and 2002**

By the Order for Interlocutory Public Judicial Sale of Property entered on _____ in United States v. Christopher Swartz, 5:16-CR-00264(DNH), in the United States District Court for the Northern District of New York, the **UNITED STATES MARSHAL SERVICE**, was ordered to sell the following property at a public sale as provided by 28 U.S.C. §§ 2001(a) and 2002 and as further ordered by the Court:

The franchisor corporate business doing business as Jreck Subs.

The terms, provisions, and conditions, of said order, are:

- 1) The United States Marshals Service (hereinafter “the responsible agency”), shall market, sell and dispose of the subject business interest, through any reasonable commercial method, without further order of the Court.
- 2) The subject business interest shall be sold for the best and highest market price reasonably obtainable.
- 3) The responsible agency, in accordance with the appropriate statutes, shall be reimbursed from the sale proceeds of the subject business interest for all necessary costs and expenses incurred in the seizure, maintenance and/or sale of the subject business interest, including the

employment of any professionals. The proceeds remaining after the reimbursement of the necessary costs and expenses will be considered the “net proceeds” of the sale.

4) The net proceeds from the sale shall be held by the responsible agency, pending further order of the Court.

5) The net proceeds shall be substituted for the interest of the defendant in the Asset being sought in forfeiture, with any unresolved claims of interest attaching to the proceeds derived from the specific interest in question. The jurisdiction of the Court shall be transferred from the business interest to the net proceeds.

6) The United States shall provide such supervision as is warranted, of the subject business interest, until the interest is sold pursuant hereto.

7) The responsible agency, without further order of the Court, are authorized, pursuant to the applicable laws, to execute documents, to transfer title and to otherwise effect the transfer of all rights, title and interest to the identified assets to any purchaser thereof.

United States Marshal

By _____